

REMARKS

Claims 1-36 are all the claims pending in the application. By this Amendment, Applicant amends claims 1, 4, 6-16, and 19-31 to expedite the prosecution of the above-identified application and for conformity. Claims 2, 3, 5, and 34-36 are cancelled without prejudice or disclaimer.

I. Preliminary Matters

As preliminary matters, Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and for indicating receipt of the certified copy of the priority document from the International Bureau. Applicant also thanks the Examiner for returning the initialed forms PTO/SB/08 submitted with the Information Disclosure Statements filed on April 19, 2006 and August 29, 2008. Applicant also respectfully requests the Examiner to indicate acceptance of the drawing figures filed on April 19, 2006.

II. Summary of the Office Action

The Examiner objected to the specification for a minor informality. The Examiner rejected claims 1-31 and 34-36 under nonstatutory obviousness-type double patenting rejection and claims 1, 2, 5, 6, 15, 19, 20, 27, 29, 31 and 34 under 35 U.S.C. § 102(b). The Examiner indicated that claims 32 and 33 are allowed and claims 3, 4, 7-14, 16-18, 21-26, 28, 30, 35, and 36 contain allowable subject matter.

III. Double Patenting Rejection

Claims 1-31 and 34-36 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 25 of copending Application No. 10/576,493 (hereinafter '493 application). Applicant respectfully requests the

Examiner to withdraw this rejection in view of the self-explanatory amendments being made herein.

IV. Prior Art Rejection

Claims 1, 2, 5, 6, 15, 19, 20, 27, 29, 31, and 34 are rejected under 35 U.S.C. § 102(b) as being anticipated by EP 0955768 to Matsubara et al. (hereinafter “Matsubara”). Applicant respectfully traverses these grounds of rejection at least in view of the following exemplary comments.

Applicant does not acquiesce to the Examiner’s reasons for rejecting the claims. However, to expedite the prosecution of the above-identified application and without commenting on the substantive merits of the Examiner’s rejections, Applicant substantially includes allowable claim 3 into claim 1. As acknowledged by the Examiner, Matsubara does not disclose or suggest “wherein a correction pattern based on the second gradation value is printed; and the second information corresponding to the second gradation value is obtained for each dot line by measuring a darkness of the correction pattern dot line by dot line.” Accordingly, claim 1 is patentable over Matsubara. Claims 2, 5, and 34 have been cancelled rendering this rejection moot. Claims 6, 15, 19, 20, 27, 29, 31 are patentable at least by virtue of their dependency on claim 1.

Applicant is not conceding in this application that original claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicant respectfully reserves the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

V. Allowable Subject Matter

Applicant thanks the Examiner for allowing claims 32 and 33 are allowed and for indicating that claims 3, 4, 7-14, 16-18, 21-26, 28, 30, 35, and 36 contain allowable subject matter. Claim 3 is now substantially claim 1. Accordingly, it is appropriate for the Examiner to now allow claim 1. Claims 4, 7-9, 13, 14, 21, and 24-26 depend on claim 1 and should now be allowed. Claims 10, 16, 22, 23, 28, and 30 are substantially rewritten into their respective independent forms and should now be allowed. Claims 11 and 12 are patentable by virtue of their dependency on claim 10 and claims 17 and 18 are patentable by virtue of their dependency on claim 16. Claims 35 and 36 have been cancelled without prejudice or disclaimer.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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